

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:21-cv-20429-ES-JRA**

SERAFIN v. BROWN et al
Assigned to: Judge Esther Salas
Referred to: Magistrate Judge Jose R. Almonte
Cause: 28:1332 Diversity—Auto Negligence

Date Filed: 12/09/2021
Date Terminated: 03/22/2022
Jury Demand: Defendant
Nature of Suit: 350 Motor Vehicle
Jurisdiction: Diversity

Plaintiff

RONALD K SERAFIN

represented by **DAMON A. VESPI**
THE VESPI LAW FIRM, LLC
547 UNION BOULEVARD, SECOND FLOOR
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973 633-1000
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ATTORNEY TO BE NOTICED

V.

Defendant

THOMAS D BROWN

represented by **MARYJANE MCNICHOLAS DOBBS**
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ATTORNEY TO BE NOTICED

Defendant

**SCHNEIDER NATIONAL CARRIERS,
INC.**

represented by **MARYJANE MCNICHOLAS DOBBS**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

EMILY JANE BORDENS
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**ALLEN R ENGLISH**

represented by **JAMES PETER RICCIARDI , JR.**
 Fleischner Potash LLP
 Concord Center, Building 1, Suite 108
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 Hazlet, NJ 07730
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Defendant**ENGLISH TRUCKING**

represented by **JAMES PETER RICCIARDI , JR.**
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ATTORNEY TO BE NOTICED

Defendant**HERITAGE MOTOR FREIGHT, INC.**

represented by **JAMES PETER RICCIARDI , JR.**
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Defendant**CALDER J GLASEBROOK**

represented by **JOSEPH S. KAVESH**
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Date Filed	#	Docket Text
12/09/2021	<u>1</u>	COMPLAINT against THOMAS D BROWN, SCHNEIDER NATIONAL CARRIERS, INC., ALLEN R ENGLISH, ENGLISH TRUCKING, HERITAGE MOTOR FREIGHT, INC., CALDER J GLASEBROOK, (Filing and Admin fee \$ 402 receipt number ANJDC-13033760), filed by RONALD K SERAFIN.(VESPI, DAMON) Modified on 12/10/2021 (wh). (Entered: 12/09/2021)
12/09/2021	<u>1</u>	CLERK'S QUALITY CONTROL MESSAGE – The case you electronically filed did not include a Civil Cover Sheet (JS-44), which is required to be submitted along with the initial pleading, as indicated in the Attorney Case Opening Guide. Please complete and file a <u>Civil Cover Sheet</u> using the event Exhibit (to Document) found under Civil/Other Filings/Other Documents. Please refer to the Attorney Case Opening Guide for processing electronically filed cases. (ps) (Entered: 12/09/2021)
12/10/2021	<u>2</u>	Exhibit to <u>1</u> Complaint, <i>Civil Cover Sheet</i> by RONALD K SERAFIN. (VESPI, DAMON) (Entered: 12/10/2021)

12/10/2021	<u>I</u>	Judge Esther Salas and Magistrate Judge Cathy L. Waldor added. (ps) (Entered: 12/10/2021)
12/10/2021	<u>I</u>	CASE REFERRED to Arbitration. (ps) (Entered: 12/10/2021)
12/10/2021	<u>I 3</u>	SUMMONS ISSUED as to THOMAS D BROWN, ALLEN R ENGLISH, ENGLISH TRUCKING, CALDER J GLASEBROOK, HERITAGE MOTOR FREIGHT, INC., SCHNEIDER NATIONAL CARRIERS, INC.. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. (wh) (Entered: 12/10/2021)
01/03/2022	<u>I 4</u>	AFFIDAVIT of Service for Summons & Complaint served on Schneider National Carriers Inc. on 12/27/2021, answer due 1/17/2022, filed by RONALD K SERAFIN. (VESPI, DAMON) Modified on 1/4/2022 (wh). (Entered: 01/03/2022)
01/03/2022	<u>I 5</u>	AFFIDAVIT of Service for Summons & Complaint served on Calder J. Glasebrook on 12/16/2021, answer due 1/6/2022, filed by RONALD K SERAFIN. (VESPI, DAMON) Modified on 1/4/2022 (wh). (Entered: 01/03/2022)
01/04/2022	<u>I</u>	CLERK'S QUALITY CONTROL MESSAGE – The <u>4</u> , <u>5</u> Summons Returned Executed filed by D. VESPI on 1/3/2022 were submitted incorrectly as Affidavits of Service. For future reference, if filing a Return of Service or Affidavit of Service indicating the date of service of the Summons and the Complaint, please refer to the event "Summons Returned Executed" (or Summons Returned Executed as to USA, when applicable). (wh) (Entered: 01/04/2022)
01/04/2022	<u>I 6</u>	NOTICE of Appearance by JOSEPH S. KAVESH on behalf of CALDER J GLASEBROOK (KAVESH, JOSEPH) (Entered: 01/04/2022)
01/10/2022	<u>I 7</u>	Proposed Order <i>Extending Time to Answer</i> by THOMAS D BROWN, SCHNEIDER NATIONAL CARRIERS, INC.. (DOBBS, MARYJANE) (Entered: 01/10/2022)
01/12/2022	<u>I 8</u>	SUMMONS Returned Executed by RONALD K SERAFIN. ALLEN R ENGLISH served on 12/27/2021, answer due 1/18/2022. (VESPI, DAMON) (Entered: 01/12/2022)
01/12/2022	<u>I 9</u>	SUMMONS Returned Executed by RONALD K SERAFIN. ENGLISH TRUCKING served on 12/27/2021, answer due 1/18/2022. (VESPI, DAMON) (Entered: 01/12/2022)
01/12/2022	<u>I 10</u>	SUMMONS Returned Executed by RONALD K SERAFIN. HERITAGE MOTOR FREIGHT, INC. served on 12/27/2021, answer due 1/18/2022. (VESPI, DAMON) (Entered: 01/12/2022)
01/12/2022	<u>I 11</u>	SUMMONS Returned Executed by RONALD K SERAFIN. THOMAS D BROWN served on 12/16/2021, answer due 1/6/2022. (VESPI, DAMON) (Entered: 01/12/2022)
01/12/2022	<u>I</u>	CLERK'S QUALITY CONTROL MESSAGE – The <u>7</u> Application and Clerk Order to Extend Time to Answer filed by MARYJANE DOBBS on 1/10/2022 was submitted incorrectly as a Proposed Order. For future reference, when entering an Application pursuant to Local Rule 6.1(b), Counsel is advised to use the Event "Application and Clerk Order to Ext Answer". There is no need to refile this Application. (wh) (Entered: 01/12/2022)
01/12/2022	<u>I</u>	Clerk's Text Order – The document <u>7</u> Application and Clerk Order to Extend Time to Answer submitted by SCHNEIDER NATIONAL CARRIERS, INC. and THOMAS D BROWN has been GRANTED. The answer due date has been reset for 1/27/2022 as to THOMAS D BROWN. The answer due date has been reset for 1/31/2022 as to SCHNEIDER NATIONAL CARRIERS, INC. (wh) (Entered: 01/12/2022)
01/14/2022	<u>I 12</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to Defendants, Allen R. English, English Trucking and Heritage Motor Freight, Inc.. Attorney JAMES PETER RICCIARDI, JR for ALLEN R ENGLISH, JAMES PETER RICCIARDI, JR for ENGLISH TRUCKING, JAMES PETER RICCIARDI, JR for HERITAGE MOTOR FREIGHT, INC. added. (RICCIARDI, JAMES) (Entered: 01/14/2022)

01/18/2022	<u>I</u>	Clerk`s Text Order – The document <u>12</u> Application for Clerk's Order to Ext Answer/Proposed Order, submitted by HERITAGE MOTOR FREIGHT, INC., ALLEN R ENGLISH, ENGLISH TRUCKING has been GRANTED. The answer due dates have been set for 2/1/2022. Extension until 2/10/2022 could not be granted by the Clerk's Office as that would exceed 14 days. (wh) (Entered: 01/18/2022)
01/25/2022	<u>I 13</u>	ANSWER to Complaint with JURY DEMAND by CALDER J GLASEBROOK.(KAVESH, JOSEPH) (Entered: 01/25/2022)
01/27/2022	<u>I 14</u>	MOTION to Dismiss for Lack of Jurisdiction by THOMAS D BROWN, SCHNEIDER NATIONAL CARRIERS, INC.. Responses due by 2/8/2022 (Attachments: # <u>1</u> Brief, # <u>2</u> Certification of Maryjane Dobbs, # <u>3</u> Certification of D. Westbrook, # <u>4</u> Certification of T. Brown, # <u>5</u> Text of Proposed Order)(DOBBS, MARYJANE) (Entered: 01/27/2022)
01/28/2022	<u>I 15</u>	NOTICE of Appearance by EMILY JANE BORDENS on behalf of THOMAS D BROWN, SCHNEIDER NATIONAL CARRIERS, INC. (BORDENS, EMILY) (Entered: 01/28/2022)
01/28/2022	<u>I</u>	Set Deadlines as to <u>14</u> MOTION to Dismiss for Lack of Jurisdiction. Motion set for 2/22/2022 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (wh) (Entered: 01/28/2022)
01/31/2022	<u>I 16</u>	TEXT ORDER: The Court will hold an initial conference (rule 16) before U.S.M.J. C. Waldor by telephone on 3/9/22 at 10am. Plaintiff shall initiate the call and local counsel for any/all parties must participate. Parties are to submit a completed Pretrial Scheduling Order (for Judge Salas cases, please use her dedicated PTSO found in the same location) found in the Notice of Judicial Preferences link to chambers via email at CLW_Orders@njd.uscourts.gov no later than 3 days before the scheduled conference.. Please contact chambers with any questions or concerns at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 1/31/22. (tjg,) (Entered: 01/31/2022)
01/31/2022	<u>I</u>	Notice of Judicial Preferences. Click here for the Judge's Individual Procedure Requirements. (tjg,) (Entered: 01/31/2022)
01/31/2022	<u>I 17</u>	MOTION to Dismiss for Lack of Jurisdiction by ALLEN R ENGLISH, ENGLISH TRUCKING, HERITAGE MOTOR FREIGHT, INC.. (Attachments: # <u>1</u> Declaration Declaration – James P. Ricciardi, Jr., # <u>2</u> Exhibit A – Plaintiff's Complaint, # <u>3</u> Exhibit B – Ohio Department of Public Safety Traffic Crash Report, # <u>4</u> Exhibit C – Affidavit of Allen R. English, # <u>5</u> Exhibit D – Affidavit of Marlene English, # <u>6</u> Brief, # <u>7</u> Text of Proposed Order, # <u>8</u> Certificate of Service, # <u>9</u> Civil Cover Sheet)(RICCIARDI, JAMES) (Entered: 01/31/2022)
01/31/2022	<u>I 18</u>	Corporate Disclosure Statement by ALLEN R ENGLISH, ENGLISH TRUCKING, HERITAGE MOTOR FREIGHT, INC.. (RICCIARDI, JAMES) (Entered: 01/31/2022)
01/31/2022	<u>I 19</u>	TEXT ORDER: The Court will conduct a telephone conference regarding Defendants' pending motions to dismiss, (ECF Nos. 14, 17), at 2:30 p.m. on 2/9/22. The parties are instructed to dial 1–888–808–6929 and enter Access Code 9464201 at the time of the conference. So Ordered by Magistrate Judge Cathy L. Waldor on 1/31/22. (tjd) (Entered: 01/31/2022)
02/01/2022	<u>I</u>	Set Deadlines as to <u>17</u> MOTION to Dismiss for Lack of Jurisdiction. Motion set for 3/7/2022 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (wh) (Entered: 02/01/2022)
02/01/2022	<u>I</u>	

		Notice of Judicial Preferences. Click here for the Judge's Individual Procedure Requirements. (ek) (Entered: 02/01/2022)
02/09/2022	<u>I</u>	Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 2/9/2022. (tjg,) (Entered: 02/09/2022)
02/09/2022	<u>20</u>	TEXT ORDER: Parties will meet and confer to discuss a consent to transfer to Ohio. The Court will hold a telephone conference, on 2/23/22 at 11am. Parties are to use the Courts teleconference dial-in: 888-808-6929 and Access Code is 9464201.. So Ordered by Magistrate Judge Cathy L. Waldor on 2/9/22. (tjg,) (Entered: 02/09/2022)
02/23/2022	<u>21</u>	TEXT ORDER: The parties will continue to meet and confer to discuss a potential transfer to Ohio on consent. The Court will hold a telephone conference on 3/2/22 at 3:00 p.m. The parties are to use the Court's teleconference dial-in: 888-808-6929 and Access Code is 9464201. So Ordered by Magistrate Judge Cathy L. Waldor on 2/23/22. (tjd) (Entered: 02/23/2022)
02/23/2022	<u>22</u>	Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 2/23/2022. (tjg,) (Entered: 02/23/2022)
03/01/2022	<u>23</u>	TEXT ORDER: The Court will reschedule the 3/2/22 conference to 11:30am. So Ordered by Magistrate Judge Cathy L. Waldor on 3/1/22. (tjg,) (Entered: 03/01/2022)
03/02/2022	<u>I</u>	Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 3/2/2022. (tjg,) (Entered: 03/02/2022)
03/02/2022	<u>24</u>	TEXT ORDER: Parties to submit a consent to transfer order. The March 9, 2022 conference is canceled.. So Ordered by Magistrate Judge Cathy L. Waldor on 3/2/22. (tjg,) (Entered: 03/02/2022)
03/09/2022	<u>I</u>	Case Reassigned to Magistrate Judge Jose R. Almonte. Magistrate Judge Cathy L. Waldor no longer assigned to the case. (sbg,) (Entered: 03/09/2022)
03/18/2022	<u>25</u>	TEXT ORDER: The parties shall submit a consent to transfer order no later than March 31, 2022. So Ordered by Magistrate Judge Jose R. Almonte on 3/18/2022. (smf) (Entered: 03/18/2022)
03/21/2022	<u>26</u>	CONSENT to Transfer of Venue to the United States District Court for the Northern District of Ohio by THOMAS D BROWN, SCHNEIDER NATIONAL CARRIERS, INC.. (DOBBS, MARYJANE) Modified on 3/22/2022 (wh). (Entered: 03/21/2022)
03/22/2022	<u>27</u>	Consent Order Transferring Venue to the Northern District of Ohio. The pending Motions <u>14</u> and <u>17</u> contesting jurisdiction and seeking transfer of venue, in the alternative, shall be dismissed without prejudice as moot. The Clerk of the Court shall transfer this action to the United States District Court for the Northern District of Ohio. Signed by Judge Esther Salas on 3/22/2022. (wh) (Entered: 03/23/2022)
03/22/2022	<u>I</u>	***Civil Case Terminated. (wh) (Entered: 03/23/2022)